

STEVEN T. JAFFE, ESQ.  
Nevada Bar No. 7035

[sjaffe@lawhjc.com](mailto:sjaffe@lawhjc.com)

MONTE HALL, ESQ.

Nevada Bar No. 239

[mhall@lawhjc.com](mailto:mhall@lawhjc.com)

TAYLOR R. ANDERSON, ESQ.

Nevada Bar No. 15136C

[tanderson@lawhjc.com](mailto:tanderson@lawhjc.com)

**HALL JAFFE & CLAYTON, LLP**

7425 Peak Drive

Las Vegas, Nevada 89128

(702) 316-4111

Fax (702) 316-4114

*Attorneys for Defendants*

*U.S. Corrections, LLC, Jacob Evetts, Ryan Rivera,*

*Zachary Brandon and Michael Coleman*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

DUKE THOMAS NGUYEN,

Plaintiff,

v.

PTS OF AMERICA, LLC, a Foreign Limited Liability Company; U.S. CORRECTIONS, LLC, a Foreign Limited Liability Company; JACOB EVETTS, an Individual; RYAN RIVERA, an Individual; ZACHARY BRANDON, an Individual; MICHAEL COLEMAN, an Individual; TRANSPORTATION EMPLOYEES DOES 1-10; DOES 11-99, inclusive; ROE CORPORATIONS 100-199, inclusive,

Defendants.

CASE NO. 2:18-cv-01717-RFB-BNW

**STIPULATION AND ORDER FOR  
DISMISSAL OF PTS OF AMERICA,  
LLC AND RELATED FACTS**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, DUKE THOMAS NGUYEN, by and through his attorneys of record Keith Galliher, Jr., Esq. of The Galliher Law Firm; Defendant PTS OF AMERICA, LLC, by and through its attorney of

1 record, Brian K. Terry, Esq. of Thorndal Armstrong Delk Balkebush & Eisinger; Defendants  
2 US CORRECTIONS, LLC, JACOB EVETTS, RYAN RIVERA, ZACHARY BRANDON,  
3 MICHAEL COLEMAN (hereinafter “US Corrections Defendants”) by and through their  
4 attorneys of record Steven T. Jaffe, Esq. and Taylor R. Anderson, Esq. of Hall Jaffe &  
5 Clayton, LLP, that:

6 1. Defendant PTS OF AMERICA, LLC shall be dismissed without prejudice from  
7 this Action without costs or attorneys’ fees to either party.

8 2. Such a dismissal is made and based upon the following stipulated facts between  
9 the parties:

10 a. The vehicle(s) in which Plaintiff was transported during the time periods  
11 alleged within paragraphs 37-49 of the Second Amended Complaint  
12 were, at the time, owned or registered to US CORRECTIONS, LLC;

13 b. The personnel who transported Plaintiff during the time periods alleged  
14 within paragraph 37-49 of the Second Amended Complaint (excluding  
15 any specific references to individuals employed by law enforcement  
16 agencies or otherwise noted) were, at the time, employees of US  
17 CORRECTIONS, LLC;

18 c. Prior to the events alleged within the Second Amended Complaint  
19 involving Plaintiff, the contract between PTS of America, LLC and the  
20 State of Nevada, dated February 14, 2017 (RFP/Contract #3283), was  
21 assigned or otherwise transferred from PTS of America, LLC to US  
22 Corrections, LLC.

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3. Plaintiff's First Request for Production of Documents and First Set of Interrogatories, dated November 9, 2020 are hereby withdrawn.

DATED this 17<sup>th</sup> day of December, 2020.

**HALL JAFFE & CLAYTON, LLP**

By: /s/ Taylor R. Anderson

STEVEN T. JAFFE, ESQ.

Nevada Bar No. 007035

MONTE HALL, ESQ.

Nevada Bar No. 239

TAYLOR R. ANDERSON, ESQ.

Nevada Bar No. 015136C

7425 Peak Drive

Las Vegas, Nevada 89128

*Attorney for US Corrections Defendants*

DATED this 17<sup>th</sup> day of December, 2020.

**THE GALLIHER LAW FIRM**

By: /s/ Keith E. Galliher

KEITH E. GALLIHER, JR, ESQ.

Nevada Bar No. 220

2451 s. Buffalo Dr., Ste. 120

1850 East Sahara Avenue, Suite 107

Las Vegas, Nevada 89104

*Attorneys for Plaintiff, Duke Thomas Nguyen*

DATED this 17<sup>th</sup> day of December, 2020.

**THORNDAL ARMSTRONG DELK  
BALKENBUSH & EISINGER**

By: /s/ Brian K. Terry

BRIAN K. TERRY, ESQ.

Nevada Bar No. 3171

1100 East Bridger Avenue

Las Vegas, Nevada 89101-5315

*Attorney for Defendant, PTS of America, LLC*

**ORDER**

BASED UPON THE STIPULATION OF COUNSEL,

IT IS HEREBY ORDERED that PTS of America, LLC is dismissed without prejudice and without costs or attorneys' fees to either party.

IT IS HEREBY FURTHER ORDERED that the facts stipulated above are admitted.

IT IS SO ORDERED this 21st day of December, 2020.

**IT IS SO ORDERED:**



**Respectfully Submitted by:**

RICHARD F. BOULWARE, II  
United States District Judge

**HALL JAFFE & CLAYTON, LLP**

By: /s/ Taylor R. Anderson  
STEVEN T. JAFFE, ESQ.  
Nevada Bar No. 007035  
MONTE HALL, ESQ.  
Nevada Bar No. 239  
TAYLOR R. ANDERSON, ESQ.  
Nevada Bar No. 015136C  
7425 Peak Drive  
Las Vegas, Nevada 89128  
*Attorney for US Corrections Defendants*